



Appeal Decision

Site visit made on 3 December 2024

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th December 2024

Appeal Ref: APP/X1925/W/24/3344706

33 The Sycamores, Baldock, Hertfordshire SG7 5BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr M Dibden (3 Counties Land Ltd) against the decision of North Hertfordshire District Council.
 - The application Ref is 23/02324/FP.
 - The development proposed is 2no detached 3 bedroom chalet style dwellings to the rear of 33 The Sycamores. Access afforded directly from Norton Road to the east.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The site is located within the settlement boundary of Baldock. It fronts onto Norton Road, which heads away from the town towards the open countryside. It lies close to other buildings, including those on The Sycamores, Lavender Court, and opposite the site on Norton Road and Bowmans Green. However, due to the absence of buildings within the site itself, and its treed roadside boundary, it contributes to the verdant character near to the settlement edge.
4. The proposal would result in the loss of six individual trees and a tree group, which are spread across a large area of the Norton Road frontage. Whilst the trees are not protected, and the individual trees are of low quality or poor condition, they nonetheless have important collective value to the character of the street when combined with the tree group. Most of the trees have a life expectancy of over 10 years and therefore would, in all reasonable likelihood, endure for some time into the future. Consequently, their loss would have a permanent, deleterious effect on the leafy roadside character on this prominent route towards the open countryside.
5. No harm has been identified by the Council in respect of the height and appearance of the proposed dwellings. However, due to the modest size and angular shape of the site, as well as the wide form of the proposed dwellings and central car ports, the development would be elongated along a large part of the Norton Road frontage. When combined with the engineered access and areas of hardstanding, it would add substantial built form close to the road.

6. The development would be largely screened in longer views by other buildings and the nearby railway embankment. However, it would be unduly exposed in closer public views from Norton Road and Bowmans Green due to the extent of the removal of frontage trees. Whilst replacement landscaping could, to some extent, soften the appearance of the development, the evidence is not persuasive that there would be sufficient space for planting so as to provide effective replacement visual screening. The development would therefore have a harmful effect on the street scene, contrary to the National Planning Policy Framework (the Framework) which expects developments to be sympathetic to local character.
7. Overall, I conclude that the proposed development would cause harm to the character and appearance of the area. It follows that there would be conflict with Policies SP9, NE2, and D1 of the North Hertfordshire Local Plan 2011-2031 (LP) which expect proposals to be well designed, to respond positively to local context and landscape character, and to take all reasonable opportunities to retain existing vegetation and landscape features.

Other Considerations

8. There would undoubtedly be some social and economic benefits arising from the proposal, including the delivery of two additional dwellings which would contribute to local housing supply and the national objective to significantly boost the supply of homes. The proposal would also generate employment during the construction phase, and future residents would support local businesses and services, thus helping to sustain and enhance the local economy and the vibrancy of the community. The additional dwellings could also generate tax and revenue sources. These matters carry weight in support of the proposal.
9. Environmental benefits would include the delivery of biodiversity net gain and additional landscaping, which could be secured through condition. The buildings could also meet high sustainability, insulation, and heating standards, and the development would promote walking and cycling due to its connectivity to the services and facilities in Baldock. These benefits attract weight in favour of the development.
10. The proposal would comply with Policy SP2 of the LP in respect of its siting within the settlement boundary, and it would optimise the residential output of the site. Consequently, no harm has been identified in respect of the principle of a residential use on the site. Moreover, the acceptability of the scheme in terms of flooding, living conditions, parking, and highway safety, and the associated requirements of Policies D3 and T2 of the LP is not in dispute. The absence of harm is a neutral matter that weighs neither for nor against the proposal.

Planning Balance

11. The proposed development conflicts with the aforementioned policies in the development plan and with the development plan when read as a whole. Developments that conflict with the development plan should normally be refused unless material considerations indicate otherwise. However, in this instance, the Council concedes that paragraph 11(d)ii of the Framework is engaged due to the shortfall in its housing land supply and the date upon which the application was submitted. This means that planning permission

should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

12. The evidence is inconclusive as to the extent of the housing land supply shortfall. However, even if the shortfall is significant, the social, economic and environmental benefits arising from this proposal for two dwellings would be modest. Consequently, the cumulative weight of the benefits in this case is moderate at best. Given that I attach significant weight to the harm that would be caused to local character, the adverse effects of granting permission for the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. Therefore, the proposal does not benefit from the presumption in favour of sustainable development.

Conclusion

13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

E Catcheside

INSPECTOR